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Professional Recovery Services, Inc. (PRS)

5  
6 IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

7 MARLA CASTLEMAN,

8 Plaintiff,

9 vs.

10 PROFESSIONAL RECOVERY  
SERVICES, INC.,

11 Defendant.

Case No. CV-10-280-JLQ

DECLARATION OF VINCENT  
KELLY MULHOLLAND IN  
SUPPORT OF DEFENDANT  
PROFESSIONAL RECOVERY  
SERVICES' MOTION FOR  
SUMMARY JUDGMENT

12 The undersigned makes this Declaration on Defendant Professional  
13 Recovery Service, Inc. ("PRS")'s behalf.

14 1. I am custodian of the books and records of PRS. Such records are  
15 accurately kept, and kept in the regular course of business.

16 2. If called to testify at trial, I state, and would be competent to state of  
17 my own personal knowledge that PRS's books and records reflect the following:

18 3. PRS is a collection agency.

19 4. My understanding is that Resurgent Capital Services LP (Resurgent)  
20 is a debt buyer.

21 5. My understanding is that Citicorp Credit Services Inc. (Citicorp) was  
22 the debt seller.

1           6. My understanding based on experience is that The Palmer Firm, PC  
2 (Palmer Firm) is an attorney firm located in Rancho Cucumunga, California, and  
3 does debt management for debtors.

4           7. On or about 5/21/09, PRS was assigned an account against Marla  
5 Castleman (Castleman) by Resurgent based on a purchased credit card debt in the  
6 sum of \$1,622.90. The last payment date was indicated to be 9/26/08, and the last  
7 payment amount was indicated to be \$1,095.63. The debt was incurred on a Sears  
8 Mastercard which was managed by Citicorp.

9           8. On or about 5/21/09, a demand letter was sent to Castleman by PRS  
10 with the disclosures required under the Fair Debt Collection Practices Act, 15 USC  
11 § 1692g. There was no written response to this demand letter at any time.

12           9. On or about 6/6/09, Castleman called PRS. Castleman indicated to  
13 PRS that her account had been settled by Palmer Firm. She gave a phone number  
14 for Palmer Firm of (800) 560-8520. This was the only communication with  
15 Castleman.

16           10. PRS was initially unsuccessful in reaching Palmer Firm on 7/23/09  
17 and 7/30/09.

18           11. On or about 8/24/09, PRS communicated with Palmer Firm. The  
19 Palmer Firm said they needed a letter from PRS showing the Palmer Firm that PRS  
20 had the account. PRS faxed the letter attached to the complaint as Exhibit C to the  
21 Palmer Firm at (909) 581-7317. Exhibit C was never mailed to Castleman, and  
22 was not sent to Castleman in any form except through the fax to the Palmer Firm.

13. On or about 9/11/09, PRS received information from the Palmer Firm that showed that the account was settled on 9/24/08. PRS canceled the account based upon receipt of this information from the Palmer Firm.

14. I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

at Woodbridge, New Jersey  
Vincent Kelly Mulholland  
 Vincent Kelly Mulholland

Certificate of Service

I hereby certify that on February 3, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Lisa Johnston-Porter, and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: \_\_\_\_\_.

s/ Jeffrey I. Hasson  
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